

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONALD W. BRATTON,

Plaintiff,

v.

RON BROOMFIELD, et al.,

Defendants.

Case No. 20-cv-03885 BLF (PR)

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE  
THIRD AMENDED COMPLAINT**

(Docket No. 45)

Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison staff at San Quentin State Prison. Dkt. No. 1. On July 25, 2023, the Court dismissed the second amended complaint with leave to amend. Dkt. No. 44. Plaintiff was directed to file a third amended complaint by August 22, 2023. *Id.*

Plaintiff has filed a motion for an extension of time to file a third amended complaint due to his current illness. Dkt. No. 45. Good cause appearing, the motion is GRANTED. Plaintiff shall file a third amended complaint using the court's form complaint to attempt to correct the deficiencies in the third amended complaint **no later than twenty-eight days (28) from the date this order is filed.**

1 The third amended complaint must include the caption and civil case number used  
2 in this order, *i.e.*, Case No. 20-cv-03885 BLF (PR), and the words “THIRD AMENDED  
3 COMPLAINT” on the first page. Plaintiff must answer all the questions on the form in  
4 order for the action to proceed. Plaintiff is reminded that the third amended complaint  
5 supersedes the second amended, and Plaintiff may not make references to the second  
6 amended complaint. Claims not included in the third amended complaint are no longer  
7 claims and defendants not named in a third amended complaint are no longer defendants.  
8 *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

9 **Failure to respond in accordance with this order by filing a third amended**  
10 **complaint in the time provided will result in the dismissal of this action without**  
11 **prejudice and without further notice to Plaintiff.**

12 This order terminates Docket No. 45.

13 **IT IS SO ORDERED.**

14 **Dated: \_\_August 29, 2023\_\_**

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16 BETH LABSON FREEMAN  
17 United States District Judge  
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